HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting.)

(Chapter VIII Rule 32 (2)(b)

Description of the case.

W.P. No. 1960/2005 (S/S)

Smt. Neelam Tyagi

Vs
State of Uttaranchal
& others

Approved for reporting.

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~~Not approved for reporting~~

Date of decision 22.12.2005

Initial of Judge

In the High Court of Uttaranchal, at Nainital.

Interim Relief Application No. 12315/2005
With

Writ Petition No. 1960(S/S) of 2005.

Smt. Neelam Tyagi W/o Dushyant Tyagi
R/o 178, Nehru Nagar (Nehru Chowk),
Roorkee, District Haridwar ..... Petitioner.

Versus

1. State of Uttaranchal through
the Secretary Intermediate Education
Government of Uttaranchal,
Secretariat, Dehradun, Uttaranchal.

2- Director, Intermediate Education,
Uttaranchal, Dehradun.

3- Joint Director, Garhwal Mandal,
Pauri Garhwal, District Pauri
Garhwal .....Respondents.

Sri Lok Pal Singh, learned counsel for the petitioner.
Sri Harendra Balwal, learned S.C. for the respondents.

Hon'ble Rajesh Tandon, J.

Heard Sri Lok Pal Singh, learned counsel for the petitioner and Sri Harendra Belwal, learned S.C. for the respondents.

By the present writ petition the petitioner has prayed to issued writ of mandamus directing the respondents to give appointment to the petitioner to the post of Assistant Teacher L.T. Grade. The said prayer can not be granted.

Briefly stated the facts giving rise to this writ petition are that the petitioner is Postgraduate with Drawing subject and also passed her B.Ed. Examination from Chaudhary Charan Singh University, Meerut, which is recognized University under the Universities Act. Chart of Educational/ Academic qualification of petitioner is reproduced as under:-

Sl. No.	Education	Year	Name Board/Institution	Percentage
1.	High School	1987	U.P. Board	54
2.	Intermediate	1989	U.P. Board	55
3.	Intermediate (Two Sub.)	2004	U.A. Board, Nainital	55
4.	Intermediate (Single sub.)	2002	U.A. Board, Nainital	79
5.	B.A.	1992	Chaudhary Charan Singh University Meerut	51
6.	B.A. (Single Sub.)	2005	Chaudhary Charan Singh University Meerut	37
7.	M.A.	1994	Chaudhary Charan Singh University Meerut	57
8.	B.Ed.	2002	Chaudhary Charan Singh University Meerut	Theory – 53.4 Practical- 56.6
9.	Intermediate Grade Drawing (IGD)	2001	Govt. of Dmaharastra	“C” Grade

It was also alleged by the petitioner that the possesses the minimum qualification mentioned in the advertisement and she applied for an appointment against the post of Assistant Teacher L.T. Grade (Drawing)

However, the petitioner has confined her grievances only to the extent that she has made a representation on 21-10-2005, Annexure No.-3 to the writ petition regarding the appointment having been made for the post of Assistant Teacher, L.T. Grade for a which she was qualified.

Since the petitioner has filed the representation, it will be just and proper to direct the respondents to decide his representation. The petitioner has filed her representation before the respondent No.3. However, liberty is given to the petitioner to move her representation before the respondent No.2. If the petitioner files fresh representation before the

respondent No.2, he will decide the same within six weeks from the date of production of certified copy of this order.

With the above observations the writ petition is disposed of finally.

(Rajesh Tandon, J.)
22-12-2005

ISB